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By: **Delegates Boutin, Simmons, Barkley, Benson, Boschert, Bronrott, V. Clagett, Costa, Donoghue, Dumais, Elliott, Feldman, Frush, Fulton, Goldwater, Gutierrez, Hixson, Hurson, Kach, Lee, Leopold, Madaleno, Marriott, McDonough, Moe, Montgomery, Murray, Nathan-Pulliam, Oaks, O'Donnell, Owings, Redmer, Rzepkowski, Smigiel, Stern, and Stull**

Introduced and read first time: February 7, 2003  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 18, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Criminal Law - Animal Cruelty - Dogfighting and Cockfighting**

3 FOR the purpose of prohibiting a person from knowingly attending as a spectator a  
4 deliberately conducted event that uses a fowl, cock, or other bird to fight with  
5 another fowl, cock, or other bird; ~~prohibiting a person from possessing certain~~  
6 ~~implements or devices relating to dogfighting or a fowl, cock, or other bird~~  
7 ~~fighting with another fowl, cock, or other bird~~; prohibiting a person from  
8 possessing, owning, selling, transporting, or training a dog or a fowl, cock, or  
9 other bird for certain purposes; prohibiting a person from knowingly allowing  
10 certain premises to be used for certain purposes; ~~defining certain terms~~  
11 ~~prohibiting a person from arranging or conducting a certain fight~~; providing  
12 that a court may order certain counseling under certain circumstances;  
13 establishing certain penalties; and generally relating to animal cruelty and  
14 dogfighting and cockfighting.

15 BY repealing and reenacting, without amendments,  
16 Article - Criminal Law  
17 Section 10-605  
18 Annotated Code of Maryland  
19 (2002 Volume)

20 BY adding to

1 Article - Criminal Law  
2 Section 10-605.1  
3 Annotated Code of Maryland  
4 (2002 Volume)

5 BY repealing and reenacting, with amendments,  
6 Article - Criminal Law  
7 Section 10-607 and 10-608  
8 Annotated Code of Maryland  
9 (2002 Volume)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Criminal Law**

13 10-605.

14 (a) A person may not knowingly attend a deliberately conducted dogfight as a  
15 spectator.

16 (b) (1) A person who violates this section is guilty of a misdemeanor and on  
17 conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding  
18 \$1,000 or both.

19 (2) As a condition of sentencing, the court may order a defendant  
20 convicted of violating this section to participate in and pay for psychological  
21 counseling.

22 10-605.1.

23 (A) A PERSON MAY NOT KNOWINGLY ATTEND AS A SPECTATOR A  
24 DELIBERATELY CONDUCTED EVENT THAT USES A FOWL, COCK, OR OTHER BIRD TO  
25 FIGHT WITH ANOTHER FOWL, COCK, OR OTHER BIRD.

26 (B) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
27 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
28 EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

29 (2) AS A CONDITION OF SENTENCING, THE COURT MAY ORDER A  
30 DEFENDANT CONVICTED OF VIOLATING THIS SECTION TO PARTICIPATE IN AND PAY  
31 FOR PSYCHOLOGICAL COUNSELING.

32 10-607.

33 (a) (†) ~~IN THIS SECTION, "IMPLEMENT OF DOGFIGHTING" MEANS AN~~  
34 ~~IMPLEMENT OR DEVICE INTENDED OR DESIGNED:~~

35 (†) ~~TO ENHANCE THE FIGHTING ABILITY OF A DOG; OR~~



1                   ~~(V)~~     ~~ANY OTHER SHARP IMPLEMENT DESIGNED TO BE ATTACHED IN~~  
2 ~~PLACE OF THE NATURAL SPUR OF A GAMECOCK OR OTHER FIGHTING BIRD.~~

3     ~~(B)~~     A person may not:

4                   (1)     use or allow the use of a fowl, cock, or other bird to fight with another  
5 animal;

6                   (2)     ~~POSSESS AN IMPLEMENT OF COCKFIGHTING;~~

7                   ~~(3)~~     ARRANGE OR CONDUCT A FIGHT IN WHICH A FOWL, COCK, OR OTHER  
8 BIRD FIGHTS WITH ANOTHER FOWL, COCK, OR OTHER BIRD;

9                   ~~(4)~~     ~~(3)~~     POSSESS, OWN, SELL, TRANSPORT, OR TRAIN A FOWL, COCK, OR  
10 OTHER BIRD FOR THE PURPOSE OF ENGAGING IN FIGHTING; OR

11                   ~~(5)~~     ~~(4)~~     KNOWINGLY ALLOW PREMISES UNDER THE PERSON'S  
12 OWNERSHIP, CHARGE, OR CONTROL TO BE USED TO CONDUCT A FIGHT IN WHICH A  
13 FOWL, COCK, OR OTHER BIRD FIGHTS WITH ANOTHER FOWL, COCK, OR OTHER BIRD.

14     ~~{(b)}~~     ~~(C)~~     (1)     A person who violates this section is guilty of the felony of  
15 aggravated cruelty to animals and on conviction is subject to imprisonment not  
16 exceeding 3 years or a fine not exceeding \$5,000 or both.

17                   (2)     As a condition of sentencing, the court may order a defendant  
18 convicted of violating this section to participate in and pay for psychological  
19 counseling.

20     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
21 effect October 1, 2003.